
Subject: Havens' counsel matters – prehearing tomorrow / Re: Havens Response to 12M-52. / Re: ORDER

From: Jim Chen (jim@jimchen.org)

To: Mary.Gosse@fcc.gov; Austin.Randazzo@fcc.gov;

Cc: Richard.Sippel@fcc.gov; warren.havens@sbcglobal.net; ajc@catalanoplache.com; Brian.Carter@fcc.gov; czdebski@eckertseamans.com; Gary.Schonman@fcc.gov; cole@fhhlaw.com; Howard.Liberman@dbi.com; richards@khilaw.com; jsheldon@fr.com; jstobaugh@telesaurus.com; jturner@wileyrein.com; kdesoto@wileyrein.com; Laura.Phillips@dbi.com; mjp@catalanoplache.com; Pamela.Kane@fcc.gov; tpaoletta@wiltshiregrannis.com; Patrick.McFadden@dbi.com; feldman@fhhlaw.com; rhj@commlawgroup.com; rjk@telcomlaw.com; gurss@fhhlaw.com; tdamari@nossaman.com; Terry.Cavanaugh@fcc.gov; wright@khilaw.com;

Date: Monday, November 19, 2012 4:28 PM

To: The Hon. Richard Sippel, Presiding Judge, via Mary Gosse and Austin Randazzo, Esqs.
 Re: 12M-52; counsel to Mr. Warren Havens *et al.*

Dear Ms. Gosse and Mr. Randazzo:

By this message, I hereby request permission from Judge Sippel to make an appearance on behalf of Mr. Warren Havens and SkyTel entities (hereinafter "SkyTel") by telephone at the November 20, 2012, prehearing in this matter. Mr. Havens and Mr. Jimmy Stobaugh also intend to take part.

I am a member of the law faculty of the University of Louisville; from January 2007 through June 2012, I served as dean of that law school. I hold active licenses to practice law in Virginia and in the District of Columbia. I have been assisting Mr. Havens and SkyTel in *Havens v. Mobex Network Services*, Civ. Action No. 11-993 (D.N.J.) and in *In re Maritime Communications/Land Mobile, LLC*, Case No. 11-13463-DWH (Bankr. N.D. Miss.). The New Jersey and Mississippi cases both raise issues connected with this proceeding, including "issue (g)" as identified in Order 11-64 in Docket No. 11-71 and the *Second Thursday* relief that Maritime and its intended partners evidently intend to seek. For your convenience and that of Judge Sippel, I attach a copy of my curriculum vitae.

In accordance with 47 C.F.R. § 1.23, I request permission to enter an appearance in this matter on behalf of Mr. Havens and SkyTel. Because I live in Louisville, Ky., and cannot attend the prehearing in person, I request permission to participate by telephone. At a phone conference today involving Mr. Robert Keller, Ms. Pamela Kane, Mr. Brian Carter, and Mr. Havens, I took part on Mr. Havens's behalf and lent assistance to him and SkyTel. I am willing and able to continue to assist Mr. Havens and SkyTel. I have Mr. Havens's express authorization to act on his behalf and on behalf of SkyTel. Among other tasks, I intend to help Mr. Havens and SkyTel secure additional counsel based in the Washington area. I can and will attend future hearings in person.

If Judge Sippel does not have the opportunity to make a decision on this request before 10 a.m., I will submit my request orally at the beginning of the phone call. If my request is granted, I will remain on the line and participate fully. If my request is denied, I will respectfully withdraw from the phone call. In all events, I wish to make it clear that my request to appear on behalf of Mr. Havens and SkyTel entities should not be construed as a waiver of positions previously taken or of arguments previously made by Mr. Havens and/or SkyTel entities in these matters.

Respectfully submitted,

/s/ James Ming Chen

James Ming Chen
2904 Beaumont Road
Louisville, KY 40205
502-509-2436

Jim Chen
502-509-2436
jim@jimchen.org or chenx064@gmail.com
<http://www.jimchen.org>

JAMES MING CHEN

(502) 509-2436
chenx064@gmail.com
jim@jimchen.org

<http://www.jimchen.org>
<http://ssrn.com/author=68651>
<http://bit.ly/JimChenScholar>

EXPERIENCE

2007-	University of Louisville Dean and Professor of Law, 2007-12 Professor of Law (on leave, 2012-13)	Louisville, Kentucky
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Highlights:

Increased average annual philanthropy to \$1.5 million, double the historic baseline for the Law School

Raised \$3,517,853.06 in fiscal year 2010-11, the highest one-year total in the history of the Law School

Raised \$1,385,814.65 in fiscal year 2009-10, at that time a record one-year total

Presided over the founding of the University of Louisville Law Clinic

Helped secure reaccreditation in 2008 by shepherding the integration of the Law School's part-time and full-time divisions into a unitary *juris doctor* program

Significant service accomplishments:

Chair, University of Louisville committee on technology commercialization, 2008-09

Chair, University of Louisville institutional endorsement committees for the Rhodes, Marshall, and Mitchell Scholarships (sponsored the successful candidacy of Monica Laine Marks, 2009 Rhodes Scholar)

Kentucky Bar Association, Task Force on Building Blocks in

Leadership Diversity (cochaired the task force's racial diversity committee and spearheaded the KBA's adoption of a resolution on diversity)

Kentucky Bar Association, Committee on Diversity in the Profession

1993–2007 **University of Minnesota** Minneapolis, Minnesota

Associate Dean, 2004-07

James L. Krusemark Professor of Law, 2001-07

Julius E. Davis Professor of Law, 2000-2001

Vance K. Opperman Research Scholar, 1998-2000

Awarded tenure in 1997 ▪ Promoted to full professor in 1999

Significant accomplishments:

Board of editors, CONSTITUTIONAL COMMENTARY

Faculty editor-in-chief, MINNESOTA JOURNAL OF LAW, SCIENCE & TECHNOLOGY

Faculty advisor, MINNESOTA LAW REVIEW and LAW & INEQUALITY

Director of special projects, Joint Degree Program in Law, Health, and the Life Sciences and Consortium on Law and Values in Health, Environment, and the Life Sciences

Member of the graduate faculty, Conservation Biology Program

Stanley V. Kinyon Tenured Teacher of the Year Award for Excellence in Teaching and Counseling, 2005-06

Hubert H. Humphrey Institute Policy Fellow, 1995-96

Subjects taught: administrative law, agricultural law, constitutional law, criminal law, environmental law, food and drug law, industrial policy, legislation, natural resources law, regulated industries

2000 **Slovenská Poľnohospodárska Univerzita v Nitre** Nitra, Slovakia

Fakulta Ekonomiky a Manazmentu

Visiting professor, Slovak Agricultural University

Faculty of Economics and Management

1999 **Heinrich-Heine-Universität** Düsseldorf, Germany

Gastprofessor, Juristische Fakultät

Visiting professor, Law Faculty

- | | | |
|---------|---|------------------|
| 1995 | Université de Nantes
<i>Chaire départementale, Faculté de Droit et des Sciences Politiques</i>
Visiting professor, Faculty of Law and Political Sciences | Nantes, France |
| 1992-93 | Justice Clarence Thomas
Supreme Court of the United States
Law Clerk | Washington, D.C. |
| 1991-92 | Judge J. Michael Luttig
United States Court of Appeals for the Fourth Circuit
Law Clerk | McLean, Virginia |

EDUCATION

- | | | |
|---------|--|--------------------------|
| 1988-91 | Harvard Law School
Juris Doctor, <i>magna cum laude</i>
<i>Harvard Law Review</i> , Executive Editor | Cambridge, Massachusetts |
| 1987-88 | University of Iceland
Fulbright Scholar | Reykjavík, Iceland |
| 1983-87 | Emory University
Bachelor of Arts, <i>summa cum laude</i>
Master of Arts
Phi Beta Kappa (elected 1985) | Atlanta, Georgia |

PUBLICATIONS

Scholarly writings

Scholarships at Risk: The Mathematics of Merit Stipulations in Law School Financial Aid, 44 U. TOLEDO L. REV. (forthcoming 2013) (annual deans' symposium), available at <http://ssrn.com/abstract=1157093>

Food and Superfood: Organic Labeling and the Triumph of Gay Science over Dismal and Natural Science in Agricultural Policy, 48 IDAHO L. REV. 213 (2012)

Progressive Taxation: An Aesthetic and Moral Defense, 50 U. LOUISVILLE L. REV. 659 (2012)

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Modern Disaster Theory: Evaluating Disaster Law as a Portfolio of Legal Rules, 25 EMORY INT'L L. REV. 1121 (2011)

Book Review, *Soft Law and the Global Financial System: Rule-Making in the Twenty-First Century*, 25 EMORY INT'L L. REV. (2011)

Truth and Beauty: A Legal Translation, 41 U. TOLEDO L. REV. 261 (2010) (annual deans' symposium)

DISASTER LAW AND POLICY (2d ed., Aspen Publishers, 2009) (coedited with Daniel A. Farber, Robert R.W. Verchick, and Lisa Grow Sun)

The Story of Wickard v. Filburn: Agriculture, Aggregation, and Commerce, in CONSTITUTIONAL LAW STORIES 69 (Michael C. Dorf ed., 2d ed., Foundation Press 2009)

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From Red Lion to Red List: The Dominance and Decline of the Broadcast Medium, 60 ADMIN L. REV. 793 (2008)

Biolaw: Cracking the Code, 56 KAN. L. REV. 1029 (2008)

Telecommunications Mergers, in COMPETITION POLICY AND MERGER ANALYSIS IN DEREGULATED AND NEWLY COMPETITIVE INDUSTRIES 52 (Peter Carstensen & Beth Farmer eds., Edward Elgar Publishing, Inc., 2008)

Beyond Food and Evil, 56 DUKE L.J. 1581 (2007)

W.J.B., *Vox Populi*, 86 NEB. L. REV. 180 (2007)

The Echoes of Forgotten Footfalls: Telecommunications Mergers at the Dawn of the Digital Millennium, 43 HOUSTON L. REV. 1311 (2007)

The Most Dangerous Justice Rides into the Sunset, 24 CONST. COMMENT. 199 (2007)
(coauthored with Paul H. Edelman)

Across the Apocalypse on Horseback: Biodiversity Loss and the Law, in BIODIVERSITY AND THE LAW: INTELLECTUAL PROPERTY, BIOTECHNOLOGY AND TRADITIONAL KNOWLEDGE 42
(Charles R. McManis ed., Earthscan/James & James, 2007)

Biodiversity and Biotechnology: A Misunderstood Relationship, in INTELLECTUAL PROPERTY PROTECTION FOR AGRICULTURAL BIOTECHNOLOGY: SEEDS OF CHANGE 347 (Jay P. Kesan ed., CABI Publishing, 2007)

DISASTERS AND THE LAW: KATRINA AND BEYOND (Aspen Publishers, 2006) (coedited with Daniel A. Farber)

The Death of the Regulatory Compact: Adjusting Prices and Expectations in the Law of Regulated Industries, 67 OHIO ST. L.J. 1265 (2006)

Poetic Justice, 28 CARDOZO L. REV. 581 (2006)

Constitutional Curiosities: A Twenty-One Question Scavenger Hunt, 23 CONST. COMMENT. 139 (2006)

There's No Such Thing as Biopiracy . . . And It's a Good Thing Too, 37 MCGEORGE L. REV. 1 (2006)

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The Parable of the Seeds: Interpreting the Plant Variety Protection Act in Furtherance of Innovation Policy, 81 NOTRE DAME L. REV. 105 (2005)

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Portraits of the Scholar as a Young Clerk, 13 MINN. J. GLOBAL TRADE 203 (2004) (tribute to Robert E. Hudec)

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Introduction – The Jurisdynamics of Environmental Protection: Evolving Visions of Eco-

- Pragmatism*, in THE JURISDYNAMICS OF ENVIRONMENTAL PROTECTION, *supra*, at xiii
- Across the Apocalypse on Horseback: Imperfect Legal Responses to Biodiversity Loss*, in THE JURISDYNAMICS OF ENVIRONMENTAL PROTECTION, *supra*, at 197
- Filburn's Legacy, 52 EMORY L.J. 1719 (2003)
- The Story of Wickard v. Filburn: Agriculture, Aggregation, and Congressional Power over Commerce*, in CONSTITUTIONAL LAW STORIES 69 (Michael C. Dorf ed., Foundation Press 2003)
- The Agricultural Adjustment Act*, in MAJOR ACTS OF CONGRESS 5 (Brian K. Landsberg ed., Macmillan Reference 2003)
- True Blue*, 20 CONST. COMMENT. 5 (2003) (pseudonymous work)*
- Subsidized Rural Telephony and the Public Interest: A Case Study in Cooperative Federalism and Its Pitfalls*, 2 TELECOMMS. & HIGH TECH. L.J. 307 (2003)
- The Vertical Dimension of Cooperative Competition Policy*, 48 ANTITRUST BULL. 1005 (2003)
- The Pragmatic Ecologist: Environmental Protection as a Jurisdynamic Experience*, 87 MINN. L. REV. 847 (2003)
- The Price of Macroeconomic Imprecision: How Should the Law Measure Inflation?*, 54 HASTINGS L.J. 1375 (2003)
- The Phages of American Law*, 36 U.C. DAVIS L. REV. 455 (2003) (pseudonymous work)*
- Judicial Epochs in Supreme Court History: Sifting Through the Fossil Record for Stitches in Time and Switches in Nine*, 47 ST. LOUIS U. L.J. 677 (2003)
- Come Back to the Nickel and Five: Tracing the Warren Court's Pursuit of Equal Justice Under Law*, 59 WASH. & LEE L. REV. 1203 (2002)
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DeFunis, Defunct, 16 CONST. COMMENT. 91 (1999)

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TELRIC in Turmoil, Telecommunications in Transition: A Note on the Iowa Utilities Board Litigation, 33 WAKE FOREST L. REV. 51 (1998)

Force Majeure in Legal Scholarship, 14 CONST. COMMENT. 427 (1997) (coauthored with David Schultz)

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Embryonic Thoughts on Racial Identity as New Property, 68 COLO. L. REV. 1123 (1997)

The Legal Process and Political Economy of Telecommunications Reform, 97 COLUM. L. REV. 835 (1997)

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Fugitives and Agrarians in a World Without Frontiers, 18 CARDOZO L. REV. 1031 (1996)

Untenured but Unrepentant, 81 IOWA L. REV. 1609 (1996)

"Duel" Diligence: A Second Look at the Supremes as the Sultans of Swing, 70 S. CAL. L. REV. 219 (1996) (coauthored with Paul H. Edelman)

The Most Dangerous Justice: The Supreme Court at the Bar of Mathematics, 70 S. CAL. L. REV. 63 (1996) (coauthored with Paul H. Edelman)

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Titanic Telecommunications, 25 SW. U. L. REV. 535 (1996)

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Unloving, 80 IOWA L. REV. 185 (1994), *excerpted in* MIXED RACE AMERICA AND THE LAW: A READER 471 (Kevin R. Johnson ed., 2003)

The Constitutional Law Songbook, 11 CONST. COMMENT. 263 (1994)

The Mystery and the Mastery of the Judicial Power, 59 MO. L. REV. 281 (1994)

Appointments with Disaster: The Unconstitutionality of Binational Arbitral Review Under the United States-Canada Free Trade Agreement, 49 WASH. & LEE L. REV. 1455 (1992)

Application of the Abnormally Dangerous Activities Doctrine to Environmental Cleanups, 47 BUS. LAW. 1031 (1992) (coauthored with Kyle E. McSarrow)

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Something Old, Something New, Something Borrowed, Something Blue, 58 U. CHI. L. REV. 1527 (1991) (reviewing THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (15th ed. 1991))

The Supreme Court — 1989 Term: Leading Cases, 104 HARV. L. REV. 129, 319-29 (1990) (analyzing *Atlantic Richfield Co. v. USA Petroleum Co.*, 495 U.S. 328 (1990))

Note, Preemption and Regulatory Efficiency in Federal Energy Statutes, 103 HARV. L. REV. 1306 (1990)

Working papers

Bioprospect Theory, <http://ssrn.com/abstract=2164848>

Inflation-Based Adjustments in Federal Civil Monetary Penalties, <http://ssrn.com/abstract=2148650> (report prepared on behalf of the Administrative Conference of the United States)

Postmodern Disaster Theory, <http://ssrn.com/abstract=2141591>

Bioprospect Theory, <http://ssrn.com/abstract=2164848>

Merger to Monopsony: AT&T, T-Mobile, and the Clayton Act,

<http://ssrn.com/abstract=2130962>

Creamskimming and Competition, <http://ssrn.com/abstract=1395554>

Modeling Law Review Impact Factors as an Exponential Distribution,
<http://ssrn.com/abstract=905316>

First Person Plural, <http://ssrn.com/abstract=916018>

La Constitución de los Estados Unidos en Español: Un Servicio para el Pueblo Americano,
<http://ssrn.com/abstract=925271>

Price-Level Regulation and Its Reform, <http://ssrn.com/abstract=771226>

Other writings

The Guilded Age, LOUISVILLE BAR BRIEFS, July 2012, at 6

The End of the American Lawyer's Guilded Age, The Online Library of Law and Liberty,
<http://libertylawsite.org/liberty-forum/the-end-of-the-american-lawyers-guilded-age> (July 1, 2012)

Opportunity Costs, KY. BENCH & BAR, May 2012, at 31

The Talented Tenth, LOUISVILLE BAR BRIEFS, April 2012, at 6

The Better Angels of Our Profession, KY. BENCH & BAR, March 2012, at 70

Opportunity Costs, LOUISVILLE BAR BRIEFS, February 2012, at 6

The Better Angels of Our Profession, LOUISVILLE BAR BRIEFS, January 2012, at 6

Merger to Monopsony: AT&T, T-Mobile, and the Clayton Act, Jurist Forum,
<http://jurist.org/forum/2011/11/jim-chen-att-antitrust.php> (November 22, 2011)

Legal Education and the Heir of Slytherin, KY. BENCH & BAR, November 2011, at 50

Legal Education and the Heir of Slytherin, LOUISVILLE BAR BRIEFS, October 2011, at 6

Can You Afford to Go to Law School?, KY. BENCH & BAR, September 2011, at 27

Can You Afford to Go to Law School?, LOUISVILLE BAR BRIEFS, September 2011, at 6

So You Want to Go to Law School, KY. BENCH & BAR, July 2011, at 39

Look to Your Left, Look to Your Right, LOUISVILLE BAR BRIEFS, July 2011, at 6

So You Want to Go to Law School, LOUISVILLE BAR BRIEFS, June 2011, at 6

The Age of E-Discovery, LOUISVILLE BAR BRIEFS, May 2011, at 6

Snap the Whip, KY. BENCH & BAR, May 2011, at 55

Snap the Whip, LOUISVILLE BAR BRIEFS, March 2011, at 6

Reforming the Kentucky Bar Exam for the Benefit of Legal Education and the Practice of Law, KY.
BENCH & BAR, March 2011, at 41

Reforming the Kentucky Bar Exam, LOUISVILLE BAR BRIEFS, February 2011, at 6

The Good Shepherd, KY. BENCH & BAR, January 2011, at 59

The Good Shepherd, LOUISVILLE BAR BRIEFS, January 2011, at 6

Longitude, LOUISVILLE BAR BRIEFS, December 2010, at 6

The University of Louisville's 2010 Law Alumni Awards, KY. BENCH & BAR, November 2010, at
53

The University of Louisville's 2010 Law Alumni Awards, LOUISVILLE BAR BRIEFS, November
2010, at 6

*Notes from the Vast Wasteland: All I Really Need to Know About Law, I Learned from ABC's
Prime-Time Schedule*, KY. BENCH & BAR, September 2010, at 39

*Notes from the Vast Wasteland: All I Really Need to Know About Law, I Learned from ABC's
Prime-Time Schedule*, LOUISVILLE BAR BRIEFS, September 2010, at 6

Rhapsody in Red and Black, LOUISVILLE BAR BRIEFS, August 2010, at 18

Diadromous Drama, KY. BENCH & BAR, July 2010, at 39

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Present Tense, LOUISVILLE BAR BRIEFS, June 2010, at 6

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The Law Is a Lonely Hunter, KY. BENCH & BAR, January 2010, at 47

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Peachy, LOUISVILLE BAR BRIEFS, March 2009, at 25

Smoot, KY. BENCH & BAR, January 2009, at 56

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Smoot, LOUISVILLE BAR BRIEFS, January 2009, at 23

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Public Service Lawyering by the Rules, Louisville Bar Association and Louisville Legal Aid Society, Louisville, Ky., June 4, 2008

From Red Lion to Red List: The Dominance and Decline of the Broadcast Medium, American University, Washington College of Law, Washington, D.C., April 18, 2008

First Person Plural, Constitutional Law “Schmooze,” University of Maryland School of Law, Baltimore, Md., March 7, 2008

What Our Thunder Says, Emerging Asia: Shedding New Light on the New Legal Landscape, University of Pennsylvania, Philadelphia, Pa., Feb. 2, 2008

Emergency and Disaster Response: The Federal Statutory Framework, Association of American Law Schools, New York, N.Y., January 3, 2008

Panelist, *Socio-Economics and Social Justice*, Association of American Law Schools, New York, N.Y., January 3, 2008

Biolaw: Cracking the Code, Biolaw: Law at the Frontiers of Biology, University of Kansas School of Law, Lawrence, Kan., November 9, 2007

Beyond Food and Evil, University of Arkansas School of Law, Fayetteville, Ark., November 2, 2007

Law 2.0, University of Arkansas School of Law, Fayetteville, Ark., November 2, 2007

Panelist, Society of American Law Teachers Deanship Workshop, University of Seattle School of Law, Seattle, Wash., September 28, 2007

Commentator, *The Intersection of Bioethics and Law*, Law and Society Association, Humboldt Universität zu Berlin, Berlin, Germany, July 28, 2007

Two Faces of Conservatism: The Supreme Court's Review of the Partial-Birth Abortion Statute, Federalist Society of Louisville, Louisville, Ky., June 27, 2007

Systematic Statutory Interpretation, Louisville Bar Association, Louisville, Ky., May 1, 2007

Panelist, *Opening Doors into the Dean's Suite*, Conference of the Asian Pacific American Law Faculty, William Mitchell School of Law, Saint Paul, Minn., April 28, 2007

Citizen Cain, Pennsylvania State University, Dickinson School of Law, State College, Pa., March 30, 2007

Panelist, *Law as a Seamless Web|Site*, Tenth Anniversary Celebration of Jurist, University of Pittsburgh School of Law, Pittsburgh, Pa., March 29, 2007

Introduction to the Louisville Bar, Wyatt Tarrant & Combs, Louisville, Ky., February 28, 2007

Law Among the Ruins, Twenty-Fifth Anniversary Celebration, *Journal of Law and Inequality*, University of Minnesota Law School, Minneapolis, Minn., February 16, 2007

Beyond Food and Evil, Duke University Law School, Durham, N.C., February 2, 2007 (via teleconference)

Law Among the Ruins, Syracuse University School of Law, Center on Property, Citizenship, and Social Entrepreneurship (PCSE), Third Annual Workshop, Washington, D.C., November 10, 2006

Emergent New Orleans: Cybernetic Urban Planning and Some Self-Organizing Alternatives, Symposium – Hurricane Katrina: Reshaping the Legal Landscape of the Gulf South, Tulane University School of Law, New Orleans, La., October 13, 2006

Webs of Life: Biodiversity Conservation as a Species of Information Policy, University of Minnesota, Conservation Biology Program, Seminar Series on Theory and Application in Conservation, Saint Paul, Minn., October 2, 2006

The Death of the Regulatory Compact: Adjusting Prices and Expectations in the Law of Regulated Industries, Indiana University School of Law, Bloomington, Ind., September 21, 2006

Organizer and host, *We the People* (Constitution Day observance), University of Minnesota Law School, Minneapolis, Minn., September 19, 2005

The Echoes of Forgotten Footfalls: Telecommunications Mergers at the Dawn of the Digital Millennium, International Telecommunications Society, 17th European Regional Conference, Universiteit van Amsterdam, Amsterdam, The Netherlands, August 23, 2006

Commentator, *Jurisgenesis: New Voices in the Law*, Washington University School of Law, Saint Louis, Mo., June 5-6, 2006

Systematic Statutory Interpretation, University of Minnesota Law School, Minneapolis, Minn., June 1, 2006

Darwin's Practical Joke: The Adaptive Origins of Creationist Mythology, Gruter Institute for Law and Behavioral Research, Olympic Valley, Cal., May 23, 2006

There's No Such Thing as Biopiracy . . . and It's a Good Thing Too, Wershow Distinguished Lecture, University of Florida, Gainesville, Fla., April 6, 2006

Darwin's Practical Joke: The Evolutionary Bases of Resistance to Evolution, Society for the Evolutionary Analysis of Law, Vanderbilt University Law School, Nashville, Tenn., April 2, 2006

There's No Such Thing as Biopiracy . . . and It's a Good Thing Too, Marquette University Law School, Milwaukee, Wis., January 26, 2006

The Death of the Regulatory Compact: Adjusting Prices and Expectations in the Law of Regulated Industries, Arizona State University College of Law, Tempe, Ariz., November 10, 2005

The Parable of the Seeds: Interpreting the Plant Variety Protection Act in Furtherance of Innovation Policy, Arizona State University College of Law, Tempe, Ariz., November 10, 2005

Panelist, *Race and Reconstruction After Hurricane Katrina*, University of Minnesota Law School, Minneapolis, Minn., October 26, 2005

Moderator, *The Future of the Supreme Court: Institutional Reform and Beyond*, University of Minnesota Law School, Minneapolis, Minn., October 21, 2005

The Death of the Regulatory Compact: Adjusting Prices and Expectations in the Law of Regulated Industries, Midwestern Law and Economics Association, Northwestern University School of Law, October 14, 2005

The Death of the Regulatory Compact: Adjusting Prices and Expectations in the Law of Regulated Industries, Public Law Workshop, University of Minnesota Law School, Minneapolis, Minn., September 22, 2005

The Parable of the Seeds: Interpreting the Plant Variety Protection Act in Furtherance of Innovation Policy, Applied Plant Sciences Seminar Series, University of Minnesota, Saint Paul, Minn., September 19, 2005

The Implied Repeal of the Second Amendment by the Fourteenth: An Exercise in Intratextual Constitutional Interpretation, Second Amendment Research Center and Stanford Criminal Justice Center, Stanford, Cal., September 17, 2005

Organizer and host, *In Order to Form a More Perfect Union* (Constitution Day observance), University of Minnesota Law School, Minneapolis, Minn., September 16, 2005

The Death of the Regulatory Compact: Adjusting Prices and Expectations in the Law of Regulated Industries, International Telecommunications Society, 16th European Regional Conference, Universidade Católica Portuguesa, Porto, Portugal, September 5, 2005

Systematic Statutory Interpretation, University of Minnesota Law School, Minneapolis, Minn., June 8, 2005

Moderator and discussant, *Communications Acts*, Law and Society Association, Las Vegas, Nev., June 5, 2005

Host and moderator, *Where Are Law, Ethics, and the Life Sciences Headed? Frontier Issues*, University of Minnesota Law School, Minneapolis, Minn., May 20, 2005

Moderator, *Race and Regionalism 2005*, Institute on Race and Poverty, University of

Minnesota Law School, Minneapolis, Minn., May 7, 2005 (panel on “Desegregating Schools Using Funding Remedies”)

Host and moderator, *With All Deliberate Speed: Brown II and Desegregation's Children*, University of Minnesota Law School, Minneapolis, Minn., May 5, 2005

There's No Such Thing as Biopiracy . . . And It's a Good Thing Too, McGeorge School of Law, University of the Pacific, Sacramento, Cal., January 18-19, 2005

The Death of the Regulatory Compact: Adjusting Prices, Profits, and Expectations in the Law of Regulated Industries, Duke University School of Law, Durham, N.C., December 10, 2004

Price-Level Regulation and Its Reform, Canadian Law and Economics Association, University of Toronto, Toronto, Ontario, September 18, 2004

The Price of Macroeconomic Imprecision: How Should the Law Measure Inflation?, International Telecommunications Society, Humboldt Universität zu Berlin, Berlin, Germany, September 6, 2004

Concluding remarks, *To Win Equality by Law: Brown v. Board of Education (Fiftieth Anniversary Reenactment and Discussion)*, Hennepin County Bar Association and Minnesota Association of Black Lawyers, Minneapolis, Minn., July 22, 2004

Guest, *Face-to-Face – Supreme Court Decisions, 2004*, Minnesota Public Television, Saint Paul, Minn., July 4, 2004

Paradigms Old and New in the Law of Regulated Industries, University of Minnesota Law School, Minneapolis, Minn., June 8, 2004

Commemorating the Fiftieth Anniversary of Brown v. Board of Education, Minnesota State Law Library, Saint Paul, Minn., May 17, 2004

Symposium moderator and panelist, *Intellectual Property Rights for the Public Good: Obligations of U.S. Universities to Developing Countries*, University of Minnesota, Saint Paul, Minn., April 29, 2004

Taking Jim Crow Out of the Constitution: How the Supreme Court Moved from Plessy to Brown, Carleton College, Northfield, Minn., April 20, 2004

Conduit-Based Regulation of Speech, Duke University School of Law, Durham, N.C., April 17, 2004

Biodiversity and Biotechnology: A Misunderstood Relation, University of Alabama School of Law, Tuscaloosa, Ala., April 12, 2004

A Vision Softly Creeping: Congressional Acquiescence and the Dormant Commerce Clause, University of Alabama School of Law, Tuscaloosa, Ala., April 12, 2004

Biodiversity and Biotechnology: A Misunderstood Relation, University of Illinois at Urbana-Champaign, College of Agricultural, Consumer, and Environmental Sciences, Urbana, Ill., April 9, 2004

Moderator, *Environmental Threats to Children's Health: Legal and Policy Challenges*, University of Minnesota, Minneapolis, Minn., April 2, 2004

Biodiversity and Biotechnology: A Misunderstood Relation, University of Florida, Fredric G. Levin College of Law, Gainesville, Fla., March 30, 2004

Biodiversity and Biotechnology: A Misunderstood Relation, Michigan State University-DCL College of Law, East Lansing, Mich., March 27, 2004

Panelist, William E. McGee National Civil Rights Moot Court Competition (continuing legal education program for moot court judges), University of Minnesota Law School, Minneapolis, Minn., January 27, 2004

Webs of Life: Biodiversity Conservation as a Species of Information Policy, Lewis and Clark College, Northwestern School of Law, Portland, Or., January 20, 2004

Panelist, *Food, Agriculture, and the First Amendment*, Association of American Law Schools, Atlanta, Ga., January 4, 2004

Filburn's Legacy, University of Colorado School of Law, Boulder, Colo., October 31, 2003

The Price of Macroeconomic Imprecision: How Should the Law Measure Inflation?, Canadian Law and Economics Association, University of Toronto, Toronto, Ontario, September 20, 2003

Subsidized Rural Telephony and the Public Interest: A Case Study in Cooperative Federalism and Its Pitfalls, International Telecommunications Society, Helsinki School of Economics, Helsinki, Finland, August 23, 2003

Guest, *Face-to-Face – Supreme Court Decisions*, 2003, Minnesota Public Television, Saint Paul, Minn., July 26, 2003

Systematic Statutory Interpretation, University of Minnesota Law School, Minneapolis, Minn., June 5, 2003

Webs of Life/Wild Horses, University of Minnesota Law School, Minneapolis, Minn., April 17, 2003

Moderator, *The Copyright Mousetrap: Who Owns Culture?*, Minnesota Justice Foundation Forum, University of Minnesota Law School, Minneapolis, Minn., April 7, 2003

Wild Horses Could Lead Us Astray: Imperfect Legal Responses to Biodiversity Loss, Washington University School of Law, Saint Louis, Mo., April 4, 2003

Symposium moderator, *The Interface Between Antitrust Law and Intellectual Property Law*, University of Minnesota Law School, Minneapolis, Minn., February 8, 2003

Subsidized Rural Telephony and the Public Interest: A Case Study in Cooperative Federalism and Its Pitfalls, University of Colorado School of Law, Boulder, Colo., February 3, 2003

Commentator, *Everything You Need to Know About the Constitution You Can Learn in Agricultural Law: Federalism and Commerce from Amber Waves of Grain to Migrating Bald Eagles*, Association of American Law Schools Annual Meeting, Section on Agricultural Law, Washington, D.C., January 5, 2003

Participant, *First Amendment Discussion Forum*, University of Louisville, Brandeis School of Law, Louisville, Ky., November 15-16, 2002

Webs of Life: Regulating the Electronic and Ecological Commons, University of Minnesota Law School, November 1, 2002

Judicial Epochs in Supreme Court History: Sifting Through the Fossil Record for Stitches in Time and Switches in Nine, Saint Louis University School of Law, Saint Louis, Mo., October 4, 2002

The Vertical Dimension of Cooperative Competition Policy, University of Minnesota Law School, Minneapolis, Minn., September 21, 2002

Guest, *Face-to-Face – Supreme Court Decisions, 2002: Unprecedented?*, Minnesota Public Television, Saint Paul, Minn., June 30, 2002

McLaughlin Fellow and participant, Aspen Institute Executive Seminar, Aspen, Colo., May 31-June 7, 2002

Liberating Red Lion from the Glass Menagerie of Free Speech Jurisprudence, Florida State University College of Law, Tallahassee, Fla., April 11, 2002

Come Back to the Nickel and Five, Washington and Lee University School of Law, Lexington, Va., March 22, 2002

Conduit-Based Regulation of Speech, Inaugural James L. Krusemark Lecture, University of Minnesota Law School, Minneapolis, Minn., March 12, 2002

Panelist, William E. McGee National Civil Rights Moot Court Competition (continuing legal education program for moot court judges), University of Minnesota Law School, Minneapolis, Minn., February 20, 2002

Putting the Logic Back into Free Speech Jurisprudence, University of Colorado School of Law, Boulder, Colo., January 28, 2002

Highlights from October Term 2000, University of Minnesota Law School, Minneapolis, Minn., October 20, 2001

Reconciling Intellectual Property with Biological Diversity: A Blueprint for Effacing Humanity's Footprint, University of San Diego School of Law, San Diego, Cal., October 15, 2001

Panelist, *First Monday in October*, University of Minnesota Law School, Minneapolis, Minn., October 1, 2001

Globalization and Its Losers, Canadian Law and Economics Association, University of Toronto, Toronto, Ontario, September 29, 2001

Globalization and Its Losers, University of Minnesota, Hubert H. Humphrey Institute of

Public Affairs, Minneapolis, Minn., September 18, 2001

Appellations of Origin from a United States Perspective, DOLPHINS (Development of Origin-Labeled Products: Humanity, Innovation, and Sustainability), Università di Firenze, Italy, September 10, 2001

Guest appearance, *News Night Minnesota*, KTCA-TV, Saint Paul, Minn., July 17, 2001 (commentary on anti-nudity legislation in Benton County, Minn.)

Caught Short: General Education at Nine Minnesota Public Universities, Minnesota Association of Scholars, Saint Paul, Minn., June 14, 2001 (participation in press conference)

Panelist, *Roundtable Discussion on Bioethics and Biotechnology Policy*, University of Minnesota, College of Agriculture, Food, and Environmental Sciences, Saint Paul, Minn., May 16, 2001

The Authority to Regulate Broadband Internet Access over Cable, University of California at Berkeley, Boalt Hall School of Law, Berkeley, Cal., March 3, 2001

The Authority to Regulate Broadband Internet Access over Cable, University of Washington School of Law, Seattle, Wash., February 28, 2001

Campaign Finance Laws and the Constitution (discussion with Professor John O. McGinnis), University of Minnesota Law School, Minneapolis, Minn., February 8, 2001

Diversity and Deadlock: Transcending Conventional Wisdom on the Relationship Between Biological Diversity and Intellectual Property, College of William and Mary, Marshall-Wythe School of Law, Williamsburg, Va., February 6, 2001

Panelist, *Governing Genetically Modified Organisms: Developing Policy in the Face of Scientific and Public Debate*, University of Minnesota, Minneapolis, Minn., February 1, 2001

Humanity's Scar: The Compromised World of Environmental Law (commentary on Mark Sagoff's *Nature's Birthmark: The Separate World of Ecology*), University of Minnesota Law School, Minneapolis, Minn., December 6, 2000

Panelist, *The Implications of End-to-End: Content Caching*, Stanford University Law School, Palo Alto, Cal., December 1, 2000

Commentary on reforming the Electoral College, CBS Radio Network, November 20, 2000
(via telephone)

Standing in the Shadows of Giants: The Role of Intergenerational Equity in Telecommunications Reform, European Association of Law and Economics, Ghent, Belgium, September 16, 2000

Diversity and Deadlock: Transcending Conventional Wisdom on the Relationship between Biodiversity Conservation and Intellectual Property Protection, University of Washington Law School, Seattle, Wash., July 22, 2000

The Treadmill of the Gods: The Legal Status and Scientific Challenge of Genetically Modified Organisms, Union Mondiale des Agraristes Universitaires, Sixième Congrès de Droit Rural, Almería, Spain, April 12, 2000

Standing in the Shadows of Giants: The Role of Intergenerational Equity in Telecommunications Reform, University of Minnesota Law School, Minneapolis, Minn., April 6, 2000

Death Penalty Moratoria, Minnesota Public Radio, Saint Paul, Minn., February 21, 2000

Rhetoric and Reliance in Regulatory Reform, University of Colorado School of Law, Boulder, Colo., February 6, 2000

The Magnificent Seven: American Telephony's Deregulatory Shootout, Vanderbilt University Law School, Nashville, Tenn., December 2, 1999

Rhetoric and Reliance in Regulatory Reform, Canadian Law and Economics Association, University of Toronto, Toronto, Ontario, September 24, 1999

Globalisierung und ihre Verlierer, European Law Students' Association, Düsseldorf, Germany, June 20, 1999

Die glorreichen Sieben: Wichtige Fusionen und Erwerbungen der amerikanischen Telekommunikationsunternehmen, Deutsch-Amerikanische Juristen-Vereinigung e.V., Düsseldorf, Germany, June 15, 1999

Grundlagen und aktuelle Probleme des amerikanischen Polizeirechts, Heinrich-Heine-Universität, Düsseldorf, Germany, June 14, 1999

Diversity in a Different Dimension: Evolutionary Theory and Affirmative Action's Destiny, Minnesota Association of Scholars, Saint Paul, Minn., March 16, 1999

The Magnificent Seven: American Telephony's Deregulatory Shootout, Hastings College of Law, San Francisco, Cal., March 6, 1999

The Magnificent Seven: American Telephony's Deregulatory Shootout, Chicago-Kent School of Law, Chicago, Ill., February 1, 1999

The Magnificent Seven: American Telephony's Deregulatory Shootout, Association of American Law Schools, New Orleans, La., January 8, 1999

Industrial Market Structure and Artistic Performance, University of Texas School of Law, Austin, Tex., October 16, 1998

Industrial Market Structure and Artistic Performance, Canadian Law and Economics Association, University of Toronto, Toronto, Ontario, September 26, 1998

La nature de l'entreprise agricole (The Nature of the Farm), Cinquième Congrès Mondial de Droit Rural, Union Mondiale des Agraristes Universitaires, Porto Alegre, Brazil, May 22, 1998

Command Performance: The Soul of Diversity Under Affirmative Action, Ohio State University College of Law, Columbus, Ohio, April 4, 1998

TELRIC in Turmoil, Telecommunications in Transition, Wake Forest University School of Law, Winston-Salem, N.C., April 3, 1998 (via satellite)

Panelist, *Beyond Black and White: Asian Americans Joining the Critical Dialogue on Affirmative Action*, Fourth Annual National Asian Pacific American Conference on Law and Public Policy, Harvard University, Cambridge, Mass., March 6, 1998

Command Performance: The Soul of Diversity Under Affirmative Action, Emory University School of Law, Atlanta, Ga., February 24, 1998

Command Performance: The Soul of Diversity Under Affirmative Action, University of Georgia School of Law, Athens, Ga., February 23, 1998

TELRIC in Turmoil, Telecommunications in Transition, University of Minnesota Law School,

Minneapolis, Minn., January 22, 1998

Commentary on California Proposition 215 (legalization of medicinal marijuana use), The Gene Burns Show, KGO Radio 810 AM, San Francisco, Cal., January 9, 1998 (via telephone)

Panelist, *Is Narrative a Useful Form of Legal Scholarship?*, National Association of Scholars, San Francisco, Cal., January 8, 1998 (via telephone)

A Sober Second Look at Appellations of Origin: How the United States Will Crash France's Wine and Cheese Party, University of Minnesota International Trade Consortium, Minneapolis, Minn., November 4, 1997

Canons, Consistency, and Convergence in Contemporary Statutory Interpretation, Council of Appellate Staff Attorneys and Appellate Judges Conference, 21st Annual Seminar, Burlington, Vt., July 3, 1997

Panelist, *Timothy McVeigh and the Death Penalty*, Minnesota Public Radio, Saint Paul, Minn., June 3, 1997

Panelist, *Judicial Activism: Tyranny of the Judiciary or Guardian of the Constitution?*, Minnesota Family Council, Saint Paul, Minn., May 22, 1997

Concluding remarks, *Conference on the Law and Economics of Federalism*, University of Minnesota Law School and Federal Reserve Bank of Minneapolis, Minneapolis, Minn., May 3, 1997

Arbitrary, Capricious, and an Abuse of Diversity, University of Colorado School of Law, Boulder, Colo., February 8, 1997

Should Farm Policy Protect Family Farms?, Association of American Law Schools, Washington, D.C., January 6, 1997

The Legal Process and Political Economy of Telecommunications Reform, Columbia University School of Law, New York, N.Y., November 8, 1996

L'État est comme Janus-Bifrons: Deux visages du financement public de l'agriculture, Quatrième Congrès Mondial de Droit Rural, Union Mondiale des Agraristes Universitaires, Gammarth, Tunisia, Oct. 22, 1996

Taxation by Tariffication, Canadian Law and Economics Association, University of Toronto, Toronto, Ontario, September 27, 1996

Titanic Telecommunications, George Mason University School of Law, Arlington, Va., April 2, 1996

Fugitives and Agrarians in a World Without Frontiers, Benjamin N. Cardozo School of Law, New York, N.Y., March 11, 1996

Diversity and Damnation, University of California-Los Angeles Law School, Los Angeles, Cal., March 2, 1996

Titanic Telecommunications, Southwestern University School of Law, Los Angeles, Cal., March 2, 1996

Get Green or Get Out: Decoupling Environmental from Economic Objectives in Agricultural Regulation, Agricultural Law Section of the Minnesota State Bar Association, Chanhassen, Minn., February 16, 1996

The Last Picture Show (On the Twilight of Federal Mass Communications Regulation), University of Minnesota Law School, Minneapolis, Minn., November 29, 1995

Decoupling Environmental from Economic Objectives in Farm Bills, American Agricultural Law Association, Kansas City, Mo., November 4, 1995

Public Domains, William Mitchell School of Law, Saint Paul, Minn., October 11, 1995

Decoupling Environmental from Economic Objectives in Agricultural Regulation, 18^{ème} congrès du Comité Européen de Droit Rural, Oxford, England, September 21, 1995

Feudalism Unmodified: Discourses on Farms and Firms, Anglo-American Agricultural Law Symposium, Oxford, England, September 19, 1995

Law, Agriculture, and Biotechnology, Graduate Agricultural Law Program, University of Arkansas School of Law, Fayetteville, Ark., August 14-17, 1995

La transmission des exploitations agricoles en droit américain, Groupe CANA, l'Université de Nantes, et la Chambre d'Agriculture de Loire-Atlantique, Nantes, France, June 1,

1995

The Treadmill of the Gods: From Labor-Intensive Agriculture to Capital-Intensive Agribusiness, Law Seminars International, Bloomington, Minn., April 27, 1995

The Ages of American Agricultural Law, Congressional Agricultural Aide Training Conference, Fayetteville, Ark., April 26, 1995

Taxation by Tariffication, University of Minnesota, Hubert H. Humphrey Institute of Public Affairs, Minneapolis, Minn., April 17, 1995

The Road Warriors, Minnesota Public Utility Bar Group, Saint Paul, Minn., February 8, 1995

Law, Agriculture, and Biotechnology, Graduate Agricultural Law Program, University of Arkansas School of Law, Fayetteville, Ark., January 10-13, 1995

The American Ideology, Center for International Food and Agricultural Policy, Saint Paul, Minn., November 14, 1994

Unloving, University of Arkansas School of Law, Fayetteville, Ark., October 24, 1994

The Treadmill of the Gods: Biotechnology in the Lab, at the Dinner Table, and Through the Farm, American Agricultural Law Association, Memphis, Tenn., October 21, 1994

The American Ideology, Troisième Congrès Mondiale de Droit Rural, Union Mondiale des Agraristes Universitaires, Poitiers, France, October 1, 1994

The Flimsy "Marketecture" of the Mass Communications Industry, Communications Law Section of the Minnesota State Bar Association, Minneapolis, Minn., September 14, 1994

Agricultural Public Law, University of Minnesota Summer Continuing Legal Education Program, Minneapolis, Minn., June 13-24, 1994

The Path of the Plow: The Public Law Perspective in Agriculture, Agricultural Law Section of the Minnesota State Bar Association, Chanhassen, Minn., February 18, 1994

Panelist, *Media and the Law*, 50th anniversary celebration of *Bench & Bar* magazine, Minneapolis, Minn., November 22, 1993

The Supreme Court and Its Law Clerks, University of Minnesota Law School, Minneapolis, Minn., November 10, 1993

Online activities

Founder and administrator, *The Jurisdynamics Network*, <http://www.jurisdynamics.net>, a family of weblogs:

<i>Jurisdynamics</i>	http://jurisdynamics.blogspot.com
<i>MoneyLaw</i>	http://money-law.blogspot.com
<i>Agricultural Law</i>	http://aglaw.blogspot.com
<i>BioLaw</i>	http://biolaw.blogspot.com
<i>Commercial Law</i>	http://ucclaw.blogspot.com
<i>Ratio Juris</i>	http://ratiojuris.blogspot.com
<i>Tech Theory</i>	http://techtheory.blogspot.com
<i>First Movers</i>	http://firstmovers.blogspot.com
<i>Law Blog Central</i>	http://lawblogcentral.blogspot.com
<i>Scientific Lawyer</i>	http://scientificlawyer.blogspot.com

Contributor, *Law School Innovation*, <http://lsi.typepad.com>

Other professional affiliations and awards

Alumni Luminary, Emory University reunion class of 2012 (representing 1987 graduates of Emory's College of Arts and Sciences)

Public member, Administrative Conference of the United States (elected 2010)

American Law Institute (elected 2006)

Virginia State Bar

District of Columbia Bar Association

Member, editorial board, *Journal of European Union Agrarian Law* (published in Nitra, Slovakia)

A note on “Gil Grantmore”

*The pseudonym “Gil Grantmore” has appeared on several articles by me, by Daniel A. Farber, and by Kathleen Howard (formerly Kathleen Chen). The following list identifies the author of each article signed by Gil Grantmore:

By Jim Chen:

True Blue, 20 CONST. COMMENT. 5 (2003)

The Phages of American Law, 36 U.C. DAVIS L. REV. 455 (2003)

The Death of Contra, 52 STAN. L. REV. 889 (2000)

Mark My Words, 3 GREEN BAG 2d 121 (2000)

By Kathleen Howard:

Lex and the City, 91 GEO. L.J. 913 (2003)

By Daniel A. Farber:

The Headnote, 5 GREEN BAG 2d 157 (2002)

By Jim Chen and Daniel A. Farber:

Constitutional Law Haiku, 18 CONST. COMMENT. 481 (2001)